

Plaintiff commenced this action on February 13, 2014, invoking diversity jurisdiction, which requires complete diversity of citizenship. On March 3, the Court issued an Order to Show Cause (OSC) noting that the complaint failed to allege the state *citizenship* of Plaintiff and Defendants, rather than merely the state in which they *reside* (or, in the case of Defendants, in which they "do business"). The OSC recited that the Court anticipated discharging the OSC if, by March 31, Plaintiff filed a First Amended Complaint (1AC) curing the aforementioned defects.

Plaintiff filed a 1AC on March 13. The Court remains concerned, however, that it may not have jurisdiction, and thus will not yet discharge the OSC. In the initial complaint, Plaintiff alleged that, "[o]n information and belief, Defendants reside or do business in Los Angeles, California." Comp. ¶ 5. The Court noted in the OSC that Plaintiff "fails to explain what information she has that supports any good-faith belief in

the locus of Defendants or their activities. 'Information and belief' are not magic words that properly can be used to permit a wishful guess." In the 1AC, Plaintiff now positively avers that Defendants "are citizens of the State of California. They also reside or do business in Los Angeles, California." $1AC \ \P \ 5$. Gone is the statement based on information and belief.

It is the Court's duty to assure itself that it has subject-matter jurisdiction. By signing any paper filed with the Court, counsel is "certif[ying] that[,] to the best of [counsel]'s knowledge, information[] and belief, formed after an inquiry reasonable under the circumstances[,]... the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation and discovery." FED. R. CIV. P. 11(b), (b)(3). In light of the change in Plaintiff's pleadings (with no apparent basis for greater knowledge about Defendants' citizenship, and no names for any of them), it appears that the pleading may violate Rule 11.

Accordingly, and pursuant to FED. R. CIV. P. 11(c), the Court ORDERS Plaintiff TO SHOW CAUSE why her pleadings do not violate FED. R. CIV. P. 11(b). The Court sets a hearing on this OSC, together with a hearing on the March 3 OSC, for 10:00 a.m. on Monday, April 21, 2014 in Courtroom 540 of the Roybal Federal Building. By April 14, Plaintiff shall file a memorandum proffering the evidence supporting her averment that Defendants are citizens of the state of California. Plaintiff may include in her memorandum any additional pertinent matters, including any legal authorities.

IT IS SO ORDERED.

DATED: April 4, 2014

UNITED STATES MAGISTRATE JUDGE

Ralph Zaryshi